

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROGER EGAN,

Plaintiff,

-against-

MARSH & MCLENNAN COMPANIES, INC.,

Defendant.

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No. 07 Civ. 7134 (SAS)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the annexed declaration of Robert N. Holtzman, Esq., the exhibits attached thereto, and the accompanying memorandum of law, defendant Marsh & McLennan Companies, Inc. will move this Court before the Honorable Shira A. Scheindlin, United States District Judge, at a time convenient for the Court, at the United States Courthouse, 500 Pearl Street, Courtroom 15C, New York, New York, for an Order:

- (a) dismissing, pursuant to Federal Rule of Civil Procedure 12(b)(6), the Third, Fourth, and Fifth Causes of Action of the above-captioned action; and

(b) granting such other relief as the Court may deem just and proper.

Dated: New York, New York  
March 10, 2008

KRAMER LEVIN NAFTALIS & FRANKEL LLP

By: s/ Robert N. Holtzman  
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